

# CERTIFICATE OF PUBLICATION

From THE NEWSPOST

Frederick, Md.

EMMITSBURG CHRONICLE  
EMMITSBURG, MARYLAND

## LEGAL

No. 19739 Equity  
In the Circuit Court  
For Frederick County  
In Equity

Carroll H. Sigafosse of  
Brunswick, Md.

Vs.

The County Commissioners of Frederick County, a Body Corporate and Politic, and Charlotte W. Yarroll, successor to James H. Falk, deceased, County Treasurer of Frederick County, and the unknown heirs, devisees, personal representatives, descendants or successors in interest, of Frank Nichols, Deceased

### ORDER OF PUBLICATION

The Object of this Bill is that the Court may take jurisdiction in the premises and enter a Decree removing the cloud upon the title of the Complainant and that the Court shall declare that the Complainant has a good and marketable fee simple title to the property described in the Bill of Complainant, and may sell or convey or otherwise deal with such property without regard to the claims of the unknown heirs, devisees, personal representatives, descendants of Frank Nichols, deceased.

The Bill recites that the Complainant is the owner of a parcel of real estate situate, lying and being in the Petersville Election District, Frederick County, Maryland, the same being known and designated as lot No. 1 on The Brunswick Industrial Company's Addition, as shown on a plat prepared by Preston E. Miller, surveyor, dated August 24, 1906, and recorded in Liber 276, Folio 186. One of the Land Records of Frederick County, Maryland, and fronting for the same on Middle Street, a distance of 150 feet, and extending back a uniform depth of 40 feet along Maryland Avenue as shown on said plat, it being all the same real estate which was heretofore conveyed by John T. Quinn and Mary A. Quinn, his wife, unto Carroll H. Sigafosse and Nora M. Sigafosse, his wife, the said Nora M. Sigafosse having departed this life prior to the filing of the Bill of Complaint, vesting the entire title to said real estate in the Complainant, by deed dated January 10, 1959, recorded in Liber 482, Folio 809. One of the Land Records of Frederick County, Maryland, a certified copy of the deed being filed with the Bill; The Bill further states that the above described property is a portion of the real estate conveyed by The County Commissioners of Frederick County, Maryland, a Body Corporate, by U. Grant Hooper, President, to John T. Quinn and Mary A. Quinn, his wife, predecessors, in title to your Complainant, by deed dated July 13, 1948, recorded in Liber 481, Folio 576. One of the Land Records of Frederick County, Maryland; That by a deed dated September 17, 1948, and recorded in Liber 457, Folio 120, One of the Land Records of Frederick County, Maryland, James H. Falk, County Treasurer of Frederick County, which said James H. Falk is now deceased and has been succeeded as County Treasurer of Frederick County by Charlotte W. Yarroll, acting pursuant to a final decree in No. 15815 Equity, of the Circuit Court of Frederick County, sitting as a Court of Equity, conveyed the aforesaid property to the County Commissioners of Frederick County, a Body Corporate, said proceedings in No. 15815 Equity as aforesaid having been had as a result of a tax sale of said real estate, said real estate at the time of said tax sale having been in the name of Frank Nichols, said title having been obtained by the said

Frank Nichols by deed from Raleigh Moore and Sarah E. Moore, his wife, by deed dated May 14, 1909, which said deed is recorded in Liber 286, Folio 459. One of the Land Records of Frederick County, Maryland, both of said deeds are filed with the Bill; and that by other means conveyances not herewith relevant title and ownership of said real estate is now in your Complainant; That a question has now been raised as to whether the Complainant has a good and marketable title to said premises by reason of the fact that none of the original papers and documents filed in No. 15815 Equity, in the Circuit Court of Frederick County, sitting as a Court of Equity, were ever recorded among the Records of Frederick County, nor are such original papers and documents available for recording as required by law, although diligent search has been made by the Complainant and his Solicitor, and although the original docket entries in the aforesaid No. 15815 Equity were made, which said docket entries are available for the inspection of the Court; that further question has been raised as to the good and marketable title of the Complainant by reason of the fact that there is nothing of record to show that the original papers and documents in the proceedings No. 15815 Equity, as aforesaid, were properly prepared for filing; that the Complainant is now in possession of the premises openly, notoriously, adversely, with color of title and under claim of right, and the predecessors in title of the Complainant since July 13, 1948 have also been in such continuous, adverse possession under color of title and claim of right; That the Complainant and his Solicitor have made diligent effort to ascertain the heirs, devisees, personal representatives, descendants or successors in interest of Frank Nichols, deceased, but have been unable to discover any such heirs, devisees, personal representatives, descendants or successors in interest of the said Frank Nichols; That the unavailability of the aforesaid original papers and documents in the aforesaid proceedings in No. 15815 Equity and the possibility that said proceedings were improperly prepared had constituted a cloud upon the title of the Complainant, and although the Complainant claims to hold a valid fee simple title, the same cannot be established of record without the removal of the aforesaid cloud.

It is thereupon this 26th day of July, 1961, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, ORDERED that the Complainant, by causing a copy of this Order to be inserted in some newspaper published in said Frederick County, once a week in each of four successive weeks, the last of such publications to be made not less than thirty days before the 3rd day of October, 1961, give notice to the unknown heirs, devisees, personal representatives, descendants or successors of Frank Nichols, deceased, whether residents or non-residents, of the object and substance of the Bill, warning them to appear in this Court in person or by solicitor, on or before the 3rd day of October, 1961, next, to show cause if any they have, why a Decree ought not to be passed as prayed.

Thomas M. Anderson

C. Clinton Virts  
Solicitor for Plaintiff

Filed July 26, 1961

TRUE COPY TEST

Ellis C. Wadner, Clerk

Frederick, Md. Oct. 27, 1961

This is to certify, That the annexed *No. 19739 Equity* notice was published in *Emmitsburg Chronicle* a newspaper published in Frederick County, once a week for *Four* successive weeks, the last of such publications being made not less than 30 days prior to the *3rd* day of *October*, 1961

EMMITSBURG CHRONICLE

THE NEWSPOST

EMMITSBURG, MARYLAND

Filed October 27, 1961 Per *Charles A. Elder*